

**MINUTES OF THE
EXECUTIVE OFFICES & CRIMINAL JUSTICE
JOINT APPROPRIATIONS SUBCOMMITTEE
ROOM 405, STATE CAPITOL BUILDING
February 2, 2004**

Members Present: Sen. D. Chris Buttars, Co-Chair
Rep. David L. Hogue, Co-Chair
Sen. Patrice Arent
Sen. Michael Waddoups
Rep. Scott Daniels
Rep. James A. Dunnigan
Rep. Eric K. Hutchings
Rep. Brad King
Rep. Bradley G. Last
Rep. Dana C. Love

Members Absent: Rep. Ron Bigelow

Staff Present: Jonathan Ball, Fiscal Analyst
Gary Ricks, Fiscal Analyst
Greta Rodebush, Committee Secretary

Visitors List: List filed with committee minutes

Note: A list of visitors and a copy of handouts are filed with the committee minutes.

NOTE: All those who testified to the subcommittee did so under the oath administered by Fiscal Analyst Gary Ricks.

Co-Chair Hogue called the meeting to order at 2:07 p.m. Approval of minutes was delayed until a quorum was present. Co-Chair Hogue invited the Department of Corrections to present the Jail Program Report.

Steve Carver, Deputy Director, Department of Corrections, reviewed the Jail Programs Report (Updated January 29, 2004). He addressed jail contracting, jail reimbursements, and the establishment of a new core rate. He answered questions from the subcommittee.

Mr. Carver spoke to following building blocks:

- (1) A budget request of \$1,806,700 will be needed for Jail Reimbursement for FY 2005 to meet the 70% funding target at the current core rate of \$42.32.
- (2) If a new core rate is approved by the Legislature, Corrections has submitted an FY 2005 building block increase of \$618,100 for Jail Reimbursement.

- (3) The new core rate will require an additional \$1,245,000 building block to pay for existing contract beds.

Co-Chair Hogue relinquished the chair to Co-Chair Buttars at 2:21 p.m.

Co-Chair Buttars invited Rep. Duane Bordeaux to address the subcommittee. He commented on the growing sex offender population and the Sex Offender Treatment Program. Rep. Bourdeaux requested funding resources for this program.

Co-Chair Buttars supports the Sex Offender Treatment Program. He mentioned that last year's budget priorities included approximately \$500,000 for sex offender treatment; however, this allocation was cut by Executive Appropriations. He suggested that funding for this program be placed on the priority list for FY 2005.

Analyst Ball noted that a new format is being used for the Correction's budget with the intent of simplifying the budget analysis presentation.

Department of Corrections

Corrections Programs and Operations

Analyst Ball presented the FY 2005 budget recommendations for the Department of Corrections with a total base budget of \$138,363,700.

Analyst Ball highlighted the following issues:

- The Department of Corrections is requesting \$2,199,700 and 35 additional FTE to operate its Central Utah Correctional Facility at Gunnison. UDC will cover FY 2004 costs with non-lapsing balances.
- In order to meet the current female population, additional beds could be acquired by either opening the VOITS dormitory or purchasing Salt Lake County's Oxbow facility.
- Savings within the Department are available through non-lapsing funds, and turnover savings from structural vacancies.
- Line item consolidation of administration, probation and parole, and institutional operations into a single line item.
- \$12,900 reduction in the Department of Corrections base budget for drug

detecting canines which have been purchased.

The Analyst also recommended that the Legislature include in the annual appropriations act the following baseline measures: housing utilization-95% of maximum capacity, parolee recidivism-25% parolee prison re-admissions, and probationer recidivism-3.5% probationer prison readmission.

MOTION: Rep. Hutchings moved to approve the minutes for January 26, 2004 and January 28, 2004. The motion passed unanimously with Sen. Arent, Sen. Waddoups, and Rep. Daniels absent for the vote.

Co-Chair Hogue resumed the chair.

Bureau of Clinical Services

Analyst Ball presented the FY 2005 budget recommendation for the Bureau of Clinical Services for a total base budget of \$16,323,700.

Mr. Ball spoke briefly about the 2003 interim study on the privatization of medical services for inmates. An Executive Summary is included in the subcommittee's Budget Analysis FY 2005 binder. The consultant for this study did not recommend privatization of medical services for inmates.

Co-Chair Hogue requested that a full report on the Medical Services Study be presented to the subcommittee.

Data Processing Internal Service Fund

Analyst Ball presented the FY 2005 budget recommendation for Data Processing Internal Services Fund with a total base budget of \$1,695,200, with a total FTE of 7.0, \$315,500 for Authorized Capital Outlay, and a rate of \$100 per port per month.

Analyst Ball recommended the following intent language:

The Legislature intends that all but \$374,500 in prior year capital outlay authorization granted to the Department of Corrections Data Processing Internal Service Fund shall lapse on July 1, 2004. The Legislature further intends that \$374,500 in non-lapsing FY 2004 authorization shall be used to upgrade and expand O-TRACK development and production hardware.

Mr. Ball further recommended that \$225,000 in returned earnings be returned to the General Fund.

Utah Correctional Industries

Analyst Ball presented the FY 2005 budget recommendation for Utah Correctional Industries with a total base budget of \$14,500,000. Analyst Ball mentioned that UCI is in its second year of profitability and that UCI is no longer required to refurbish and repair donated computers for use in schools, as per S.B. 6

Agency response

Mike Chabrias, Executive Director, Department of Corrections addressed the subcommittee. Despite decreases in the budget for the last three years, the Department has been able to contain growth by implementing effective offender management strategies. He noted that alternatives to incarceration programs have increased over 50% in all the regions statewide. Mr. Chabrias stated that besides funding requests for building blocks, his first priority is to support funding for a responsible compensation package for state employees.

Mr. Chabrias supports Sen. Buttars S.B. 21 Drug Offender Reform Act. He stated that treatment is a critical partner in dealing with the drug problem and the criminal justice issue of prison and jail space in America.

Belle Brough, Program Director, Re-Entry Initiative, explained the program to the subcommittee. Handouts were distributed.

Co-Chair Hogue moved to saunter for five minutes.

Upon reconvening, Mr. Chabrias proceeded to list the Department of Corrections building block requests. They are as follows:

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| (1) | CUCF Facility Operations | \$2,199,700 | 35.0 FTE |
| (2) | Oxbow Women's Facility | \$7,804,000 | 135.00 FTE |
| (3) | Oxbow Community Correctional Center: | \$1,575,400 | 28.0 FTE |
| (4) | AP & P Agents: | \$674,500 | 12.0 FTE |
| (5) | Sex Offender Treatment | \$518,322 | 7.0 FTE |

Chris Mitchell, Director of Administrative Services, spoke to the Internal Services Funds and Turnover Savings and answered questions of the subcommittee.

Dave Worthington, Director, Division of Institutional Operations, answered questions on the sex offender population in the prison and in the county jails. He answered questions from the subcommittee.

Mike Sibbett, Board of Pardons and Parole, answered questions from the subcommittee regarding sex offenders as well.

Co-Chair Buttars assumed the chair.

Analyst Ball answered subcommittee questions on the FY 2005 budget recommendations for Corrections.

MOTION: Rep. Daniels moved to tentatively approve the Analyst's FY 2005 budget recommendation of \$8,515,900 for Jail Reimbursement, and to place the following items on the priorities list: \$579,100 from General Fund for Jail Reimbursement Core Rate Increase, \$604,100 from General Fund for Jail Reimbursement Growth-Core Rate, and \$85,000 Jail Reimbursement Growth-Medical and Transportation Rate. The motion passed unanimously with Sen. Waddoups, Rep. Hogue, and Rep. King absent for the vote.

MOTION: Rep. Dunnigan moved to tentative approve the Analyst's FY 2005 budget recommendation of \$18,086,200 for Jail Contracting, and to place \$1,244,900 for Jail Contracting Core Rate Increase on the priorities list.

Sen. Arent called for division on the question.

The motion to tentatively approve the Analyst's FY 2005 budget recommendation of \$18,086,200 for Jail Contracting passed unanimously with Sen. Waddoups, Rep. Hogue, and Rep. King absent for the vote.

The motion to place \$1,244,900 for Jail Contracting Core Rate Increase on the priorities list passed unanimously with Sen. Waddoups, Rep. Hogue, and Rep. King absent for the vote.

MOTION: Rep. Love moved to place \$518,322 for the Sex Offender Treatment, Department of Corrections, on the priorities list. The motion passed unanimously with Sen. Waddoups, Rep. Hogue, and Rep. King absent for the vote.

MOTION: Sen. Arent moved to approve a rate increase of \$2.92 for the jail reimbursement core rate. The motion passed unanimously with Sen. Waddoups, Rep. Hogue, and Rep. King absent for the vote.

Analyst's Ball concluded by asking the subcommittee to review the Appropriations Language for the Department of Corrections for the Wednesday, February 4, 2004 meeting.

MOTION: Sen. Arent moved to adjourn the meeting. The motion passed unanimously with Sen. Waddoups, Rep. Hogue, and Rep. King absent for the vote.

Co-Chair Buttars adjourned the meeting at 5:00 p.m.

Sen. D. Chris Buttars, Co-Chair

Rep. David L. Hogue, Co-Chair